

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

NAJHEA SMITH,

Defendant.

-----X

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

16-CR-397 (LTS)

Check Proceeding that Applies

 X Arraignment

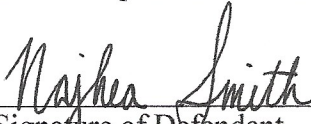
I have been given a copy of the Probation Department's Violation of Supervised Release Report ("Violation Report"), dated October 26, 2020, containing the charges against me and have reviewed it with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the Violation Report and to have the Violation Report read aloud to me if I wish. By signing this document, I wish to advise the court of the following. I willingly give up my right to appear in a courtroom in the Southern District of New York to advise the court that:

- 1) I have received and reviewed a copy of the Violation Report.
- 2) I do not need the judge to read the Violation Report aloud to me.

Date: 12/1/2020

Najhea Smith

Print Name


Signature of Defendant

 X Entry of Admission of Specification(s) of Violation

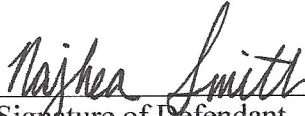
I am aware that I have been charged with violations of conditions of my supervised release. I have read the Violation Report, containing the supervised release violation charges against me and have consulted with my attorney about those charges. I have decided that I wish admit to certain charged violations. I understand I have a right to appear before a judge in a courtroom in the Southern District of New York to enter my admission(s) and to have my attorney beside me as I do. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge to enter my admission(s). By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me as I enter my admission(s) so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the

proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: 12/1/2020

Najhea Smith

Print Name


Signature of Defendant

____ Sentence

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____

Print Name

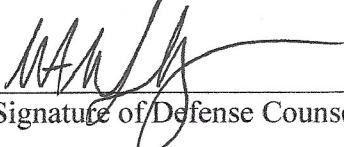
Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date: 12/1/2020

Margaret M. Shalley

Print Name


Signature of Defense Counsel

Accepted: /s/ Laura Taylor Swain, USDJ
Signature of Judge

Date: 12/2/2020